

Senate Bill 238

By: Senator Meyer von Bremen of the 12th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Code Section 16-10-94 of the Official Code of Georgia Annotated, relating to
2 tampering with evidence, so as to remove the requirement that such offense involve another
3 person; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 Code Section 16-10-94 of the Official Code of Georgia Annotated, relating to tampering with
7 evidence, is amended by revising subsection (c) as follows:

8 "(c) Except as otherwise provided in this subsection, any person who violates subsection
9 (a) of this Code section involving the prosecution or defense of a felony ~~and involving~~
10 ~~another person~~ shall be guilty of a felony and, upon conviction thereof, shall be punished
11 by imprisonment for not less than one nor more than three years; provided, however, that
12 any person who violates subsection (a) of this Code section involving the prosecution or
13 defense of a serious violent felony as defined in subsection (a) of Code Section 17-10-6.1
14 ~~and involving another person~~ shall be guilty of a felony and, upon conviction thereof, shall
15 be punished by imprisonment for not less than one nor more than ten years. Except as
16 otherwise provided in this subsection, any person who violates subsection (a) of this Code
17 section involving the prosecution or defense of a misdemeanor shall be guilty of a
18 misdemeanor."

19 **SECTION 2.**

20 All laws and parts of laws in conflict with this Act are repealed.